

Decision Notice
& Finding of No Significant Impact
Spencer Integrated Weed Management Project

USDA Forest Service
Glacier Ranger District, Chugach National Forest
Region 10, Alaska Region

Decision and Reasons for the Decision

Background

Non-native invasive plants are currently damaging biological diversity and ecological integrity of lands within and outside National Forests across the country. These invasive plants create a host of adverse environmental effects, including: displacement of native plants; reduction in habitat and forage for wildlife; loss of threatened, endangered, and sensitive species; increased soil erosion and reduced water quality; reduced soil productivity; loss of long-term riparian area function; loss of habitat for culturally significant plants; high cost (dollars spent) of controlling invasive plants; and increased cost to maintaining transportation system and recreational sites.

In general, non-native plants are rare in backcountry areas of the Chugach National Forest. However, in recent surveys numerous species of invasive plants have been found within Spencer area. Currently, invasive plants are rapidly spreading across Alaska indicating a more serious problem on the horizon. Without aggressive action the populations at Spencer are expected to spread into surrounding backcountry areas. The threat of spread is great due to the many ongoing and planned activities in the Spencer area such as the recent Whistle Stop recreation developments, the upcoming Spencer Mineral Materials project, and increasing outfitter/guide uses. Although the Whistle Stop and Spencer Mineral Materials projects include measures to help prevent further introductions of invasive plants, the threat of spread is still great from invasive plants already present. The immediate need is to treat these existing infestations now while populations are still small and contained to specific areas. Without action, these invasive plants can easily spread throughout the entire Spencer area; be transported to sites throughout Alaska with the Mineral Materials project; and travel down the Placer River corridor with outfitter/guide activities. Once these invasive plants spread and become established, they will become increasingly difficult and costly to control and will further degrade natural ecosystems.

The environmental assessment (EA) documents the analysis of Alternative 1 (No Action) and Alternative 2 (the Proposed Action) to meet this need.

Decision

Based upon my review of the analysis of the alternatives in the EA, I have decided to implement Alternative 2, the Proposed Action, which would treat 10 acres with Integrated Weed Management (IWM) methods in the Spencer area. My decision also includes Project Design Criteria listed on pages 7-8 of the EA. Activities will occur at the following locations: the siding area, approximately five miles of road and trail, some Whistle Stop developments, and the old rock quarry and gravel pit sites. IWM methods mean that a combination of management techniques is used to control a particular invasive plant species or infestations efficiently and effectively, with minimum adverse impacts to non-target organisms. The EA describes in detail the species-specific and site-specific actions that are designed to be practical with minimal risk. Alternative 2 includes both the use of herbicide (glyphosate) and manual controls, such as hand pulling. Treatments would occur annually for up to five years and then reevaluated for effectiveness.

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative (No Action). A comparison of these alternatives can be found in the EA on page 9.

Rationale

In making my decision I carefully reviewed the analysis that is documented in the EA as well as information found in the project file. I also reviewed public comments received during the comment period. The criteria I used to evaluate the alternatives are 1) how well alternatives meet the purpose and need; and 2) how well the alternatives address concerns brought up by the public in regards to the use of herbicides.

In comparing the two alternatives, I found Alternative 2 meets the purpose and need to control or eradicate invasive plants before they spread into surrounding natural ecosystems. IWM techniques are known to be the most efficient and effective means of controlling invasive plant species. Alternative 2 addresses the immediate need to treat existing infestations now while populations are still small and contained to specific areas. On the other hand, I found that Alternative 1 does not adequately meet the purpose and need. Under Alternative 1 (No Action), existing populations of non-native plants will only be treated with manual control methods, which have been ineffective after several years of treatment. Existing populations will continue to persist and expand into surrounding ecosystems under Alternative 1.

My other consideration in selecting an alternative was how well the alternatives address concerns expressed by the public over use of the herbicide glyphosate. Since no herbicide use is

proposed in Alternative 1, this alternative most easily addresses public concerns. For Alternative 2, I carefully reviewed the analysis in the EA and supporting documentation in the project file regarding the effects of herbicide use. I found the analysis used the best available scientific information such as risk assessments completed by the Syracuse Environmental Research Associates, Inc., which used peer-reviewed articles from the open scientific literature and current EPA documents, including Confidential Business Information. Information from laboratory and field studies of herbicide toxicity, exposure, and environmental fate was used to estimate the risk of adverse effects to non-target organisms. These effects are disclosed in the EA and supporting documents and they show very low risk to people and the environment (EA page 16, Table 3). Although Alternative 1 most easily addresses public concerns about herbicides, I believe Alternative 2 has been carefully planned and analyzed to ensure risks are well below any threshold of concern.

Based on my review, I have selected Alternative 2 because 1) it meets the purpose and need; and 2) the analysis in the EA and supporting documents show that risks associated with herbicide use are well below any threshold of concern.

Public Involvement

As described in the background, the need for this action became more evident after recent plant surveys found non-native plants in the back-country setting at Spencer. A proposal to treat non-native plants with IWM methods was listed in the Schedule of Proposed Actions on April 1, 2007. The proposal was provided to the public and other agencies for comment during scoping from July 23, 2007 to August 24, 2007.

Using the comments from the public (see *Issues* section in the EA), the interdisciplinary team identified one main issue, which related to the use of herbicide. Several commenters expressed concern that herbicide use would result in detrimental effects to human health and to the biological and physical components of the ecosystem. This issue was addressed through the environmental analysis and the analysis of Alternative 1 (No Action).

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.

2. There will be no significant effects on public health and safety, because the analysis in the EA shows that potential risks are all well below any threshold of concern. All applicable Federal and State laws pertaining to public health and safety would be followed. All herbicide applications would be conducted by licensed applicators.
3. There will be no significant effects on unique characteristics of the area. There are no known significant effects to prime farmlands, wetlands, wild and scenic rivers, wilderness or ecologically critical areas.
4. The effects on the quality of the human environment are not likely to be highly controversial. Although there is controversy over the use of herbicide in general, scientific information and professional experience indicate the proposed level of herbicide use can occur without significant environmental effects.
5. The Forest Service has considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA pages 13-16).
6. The action is not likely to establish a precedent for future actions with significant effects. This decision pertains to the specific IWM actions within the project area. Any future decisions will need to consider relevant scientific and site specific information available at that time.
7. The cumulative impacts are not significant (see EA pages 21-45).
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. These resources have been extensively reviewed in recent projects in the area (Spencer Mineral Materials and Whistle Stop) with findings of no historic properties affected. The actions in this project are far less ground disturbing and would also result in a finding of no historic properties affected.
9. No threatened, endangered, or sensitive species or their critical habitats are affected by this decision (see EA pages 27-36).
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see EA pages 46-47). The action is consistent with the Chugach National Forest Land and Resource Management Plan (See EA pages 2 and 46).

Findings Required by Other Laws and Regulations

This decision to implement IWM techniques on 10 acres of land in the Spencer area is consistent with Chugach National Forest Land and Resource Management Plan and other applicable laws and regulations.

National Forest Management Act - This project complies with the Forest Plan. If an amendment were required, agency procedures would be followed. The Forest Plan complies with all resource integration and management requirements of 36 CFR 219 (219.14 through 219.27).

Endangered Species Act - Biological evaluations were completed for threatened, endangered, proposed, and sensitive plant and animal species. No threatened and endangered plant or animal species would be affected by the actions in this project.

Bald Eagle Protection Act - Management activities within bald eagle habitat will be in accordance to a Memorandum of Understanding between the Forest Service and the U.S. Fish and Wildlife Service.

ANILCA Section 810, Subsistence Evaluation and Finding - There is no documented or reported subsistence use that would be restricted by this project. For this reason, none of the activities would result in a significant possibility of a significant restriction of subsistence use of wildlife, fish, or other foods.

Coastal Zone Management Act of 1972, as amended - This project is consistent with the State of Alaska Coastal Zone Management Act to the maximum extent practicable.

Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended - The Magnuson-Stevens Fishery Conservation Act (the Act) requires that all federal agencies consult with the National Marine Fisheries Service (NMFS) when any project "may adversely affect" essential fish habitat (EFH). The Act also requires that agencies with existing consultation processes contact NMFS to discuss how the existing processes can be used to satisfy the EFH consultation requirements (50 CFR 600.920(e)(3)). None of the activities will cause any action that may adversely affect EFH as defined by this Act.

National Historic Preservation Act of 1966 - Section 106 of the National Historic Preservation Act requires that all federal undertakings follow the regulations found at 36 CFR 800 to identify and protect cultural resources that are within project areas and which may be effected by projects. The Chugach National Forest will follow the procedures in the Programmatic Agreement between the Chugach National Forest, the Advisory Council on Historic Preservation, and the Alaska State Historic Preservation Officer (SHPO).

Executive Order 11988 - Wetlands - Wetlands occur in the project area. Project design criteria will minimize the impact to wetlands in accordance with E.O. 11988.

Executive Order 11990 - Floodplains - Floodplains occur in the project area. Project design criteria will minimize the impact to floodplains in accordance with E.O. 11990.

Executive Order 12898 - Environmental Justice - Implementation of this project is not anticipated to cause disproportionate adverse human health or environmental

effects to minority or low-income populations.

Executive Order 12962 - Recreational Fisheries - No major adverse effects to freshwater or marine resources would occur with implementation of this project.

Clean Water Act - The project design is in accordance with Forest Plan standards and guidelines, Best Management Practices, and applicable Forest Service manual and handbook direction. The project activities are expected to meet all applicable State of Alaska water quality standards.

Clean Air Act - Emissions anticipated from the implementation of this project would be of short duration and would not be expected to exceed State of Alaska ambient air quality standards (18 AAC 50).

Executive Order 13112 - Invasive Species - Invasive species populations have the potential to spread in the project area. The purpose of this proposal is to reduce the spread of invasive species in accordance with E.O. 13112.

Public Law 106-224 - Plant Protection Act - Invasive species populations have the potential to spread in the project area. The purpose of this proposal is to reduce the spread of invasive species in accordance with P.L. 106-224.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer:

Forest Supervisor, Joe Meade
3301 C Street
Anchorage, AK 99503-3998

Fax: 907-743-9476

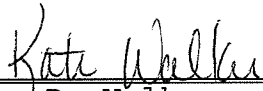
The office business hours for those submitting hand-delivered appeals are: 9 am to 5 pm Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to "comments-alaska-chugach-glacier@fs.fed.us." In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Anchorage Daily News, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the Anchorage Daily News, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted substantive comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Betty Charnon, Ecologist, Glacier Ranger District, P.O. Box 129, Girdwood, AK 99587, at (907) 783-3242.



Kate P. Walker
District Ranger
Glacier Ranger District

5/29/09
Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.